
Reporting In-Custody Deaths

403.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported.

403.1.1 DEFINITIONS

Definitions related to this policy include:

In-custody death - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated at any facility of this office.

403.2 POLICY

It is the policy of this office to follow state and local guidelines for reporting in-custody deaths (15 CCR 1046).

403.3 MANDATORY REPORTING

All in-custody deaths shall be reported within 10 days of the death to the state Attorney General's office, in accordance with reporting guidelines and statutory requirements (Government Code § 12525).

If the decedent is a boarder for another agency, the Captain shall notify that agency so that agency will assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relations 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the inmate's name, identification number, date and time of death, and the attending physician's name.

In the event that a juvenile dies while in custody, the Captain or the authorized designee shall notify the court of jurisdiction and the juvenile offender's parent or guardian (15 CCR 1047). A copy of the report provided to the state Attorney General's office shall be submitted to the Board of State and Community Corrections within 10 days of the death (15 CCR 1046(b)(1)).

The Sheriff or the authorized designee should ensure that all specified information relating to the in-custody death is posted on the office's website as prescribed and within the timeframes provided in California Penal Code Section 10008 and California Assembly Bill 2761.

403.4 PROCEDURE

When a staff member discovers a possible deceased inmate, the medical unit and the Watch Commander will be notified immediately.

Only medical staff may make a determination of death.

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Should there be any doubt about death, appropriate emergency life saving measures will be administered and the inmate transported to the hospital (determined by medical staff) for treatment.

In cases where death has already been determined or death is obvious, i.e., post-mortem lividity, rigor mortis, the body will not be disturbed or moved from the scene.

The Watch Commander will immediately notify the Coroner's Division, the Major Crimes Unit, and the Facility Manager.

Staff members at the scene will be responsible for the following:

Isolate and preserve the scene.

Detain, identify, and separate suspects and witnesses.

Release all personal property to the Coroner's Division.

Release copies of documents verifying custody status and identification (remands, commitments, warrants, booking sheet, mug shot, etc.) of the inmate.

The Redding Police Department and DOJ, with the assistance of the Sheriff's Office Major Crimes Unit, and Coroner Division, may jointly conduct the continuing investigation.

The Watch Commander or designee will initiate a crime report and forward it to the Facility Manager.

All medical unit reports will be forwarded to the Watch Commander and/or Coroner's Division.

The Facility Manager will insure a written report is forwarded to the Attorney General's Office within ten days explaining the circumstances of the death.

403.5 IN CUSTODY DEATH REVIEW

The facility administrator, in cooperation with the health administrator, shall develop written policy and procedures to ensure that there is an initial review of every in-custody death within 30 days. The review team at a minimum shall include the facility administrator or designee, the health administrator, the responsible physician and other health care and supervision staff who are relevant to the incident.

Deaths shall be reviewed to determine the appropriateness of clinical care; whether changes to policies, procedures, or practices are warranted; and to identify issues that require further study.

Death of a Minor: In any case in which a minor dies while detained in a jail, lockup, or court holding facility:

- A. The administrator of the facility shall provide to the Board a copy of the report submitted to the Attorney General under Government Code Section 12525. A copy of the report shall be submitted within 10 calendar days after the death.
- B. Upon receipt of a report of death of a minor from the administrator, the Board may within 30 calendar days inspect and evaluate the jail, lockup, or court holding facility

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pursuant to the provisions of this subchapter. Any inquiry made by the Board shall be limited to the standards and requirements set forth in Title 15 Section 1046.